



UNITED STATES GREAT LAKES
SHIPPING ASSOCIATION

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May 3, 2013

Senator Mike Green
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Via Fax 517/373-5871 and
e-mail to Ms. Carney's Office

Re: Senate Bill 266

Dear Senator Green:

This will serve as the endorsement of the United States Great Lakes Shipping Association (USGLSA) concerning the efforts of you and sponsors to harmonize ballast water treatment requirements and procedures for international flag vessels trading on the Great Lakes through the passage of SB 266.

USGLSA is a trade Association consisting of vessel agents at ports throughout the Lakes serving the needs of international flag vessels which trade in the Lakes, including the State of Michigan and the St. Lawrence Seaway System. Thus, the efficient, safe and sensible operation of these trades is of vital importance to USGLSA and the ship operators it serves.

For many years, Great Lakes States have identified the serious matter of aquatic invasive species in the Lakes. Despite urgent requests from the States for a unified and effective ballast water treatment standard to be initiated by Federal authorities covering all Great Lakes States, there was no action. A joint US/Canadian program was initiated several years ago to require ballast water exchange at sea and ballast tank inspections for arriving international flag vessels prior to entry to the Seaway System and the Lakes. This regime has proven and continues to be extremely effective in eliminating the introduction of new aquatic invasive species, but nothing



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was done to address the issue of species already in the Lakes and being transported around the Lakes in ballast tanks.

In part, if not primarily, because of Federal inaction on this vital issue, States enacted their own regulatory versions of ballast water management to be enforced in their local waters. In many cases, State officials made the point that their laws and regulations were reluctantly being initiated, but that in light of the failure of the Federal establishment of a universal standard, there was no choice but to act.

The result to ship owner principals (clients) of USGLSA once these various state actions were initiated was to be faced with a different set of standards and different compliance requirements every time their vessel called in a port of a different State. In some cases, in addition to general confusion and annoyance, requirements were often technologically and/or financially impossible. In one instance, which happily never came into effect, a state was seeking vessel ballast water to be 100 times, moving incrementally toward 1000 times, more pure than drinking water! These conditions created havoc, inefficiencies and in some cases abandonment of shipping destination opportunities for international flag operators (and the ports involved). We suggest the State of Michigan examine whether its current ballast water requirements may not have had and continue to have such an effect, although as to what frequency or degree we cannot say.

Finally, as is now quite well known, Federal action has taken place at both U.S. Coast Guard with its promulgation of universal ballast management treatment rules in 2013 and the Environmental Protection Agency with its implementation of a Vessel General Permit in 2013. With very few exceptions, these two actions work together and most importantly embrace the ballast water standards of the International Maritime Organization (IMO) which effectively covers world-wide vessel trades...very important to



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international flag vessel trading in the Lakes. These standards are achievable, economically sensible and return an operating sanity to Lakes international flag commerce. That is the good news. The bad news is that these two agency actions do not legally pre-empt any additional similar or more stringent requirements a State may wish to impose. Thus, the risk remains that some or all of the crazy quilt of standards on the Lakes may continue; a possibility which we believe could be the case in Michigan under its current requirements.

For the reasons above, USGLSA applauds SB 266 and the efforts of you, sir, and sponsors. We believe SB 266 will help allow Michigan to join other Lakes States which are becoming aware of the fact that they now have the opportunity to not have to step in reluctantly when the Federal authorities were unwilling or unable to responsibly address this important interstate and foreign commerce water transportation trade issue. SB 266 is a step toward the complete harmonization of ballast water management on the Lakes and will put Michigan on the side of common sense and provide the opportunity to utilize and protect its water transportation resources responsibly and to successfully enhance international commercial growth and resulting economic prosperity in the State and region.

Thank you for the opportunity to express our views on this important matter.

Respectfully,